1654

PATENT APPLICATION
DOCKET NO. T8345.NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Xiong et al.
SERIAL NO.:	09/944,960
FILED:	November 16, 2000
FOR:	TRANSDERMAL DELIVERY SYSTEM FOR ALKALOIDS OF ACONITUM SPECIES
ART UNIT:	1654
EXAMINER:	Winston, R.
DOCKET NO.:	T8345.NP

CERTIFICATE OF TRANSMISSION
UNDER 37 C.F.R. § 1.8

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STATEMENT OF THE SUBSTANCE OF THE INTERVIEW UNDER 37 C.F.R. § 1.133(b)
AND
AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

In response to the Office Action mailed September 21, 2004, please enter this amendment and reconsider the present patent application in view of the remarks provided below. Further, in response to the Examiner interview held November 4, 2004, please enter this Statement of the Substance of the Interview.

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Applicants representatives, Mr. David Osborne and Mr. Wayne Western conducted an in-person interview with Examiner Randall Winston on November 4, 2004. During the interview Claims 50-54 and the various rejections thereof as stated in the Office Action mailed September 21, 2004 were discussed. During the interview it was agreed that amendment of Claim 50 to include the terms "in a subject" following the word "inflammation", and "to said subject" following the word "administering", as well as the insertion of the markush group "consisting of: lappaconitine, 3-acetylaconitine, and bulleyaconitine" following the term "aconitine alkaloid" would overcome all rejections under 35 U.S.C. §§ 112 and 102.

Additionally, Applicants representatives pointed out that transdermal administration was well known in the art as administration of an active substance through unbroken skin, and that administration via injection was therefore not within the scope of transdermal administration as recited in Claim 50. Applicants representatives further pointed out that use of the term "transdermal administration" in the specification is consistent with such meaning, and that therefore, the Liu et al. article did not teach or suggest "transdermal administration".